

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

OCEAN RIDGE CAPITAL ADVISORS, LLC, as  
Litigation Trustee of THE MAS LITIGATION TRUST,

Plaintiff,

-against-

626431 \$25 9-7-07  
METROPOLITAN LIFE INSURANCE COMPANY, THE  
NORTH WESTERN MUTUAL LIFE INSURANCE  
COMPANY, CAPITAL D'AMERIQUE CDPQ INC.,  
CAISSE DE DEPOT ET PLACEMENT DU QUEBEC,  
CSFB LP HOLDING, SKOOG FAMILY  
INVESTMENTS, LLC, BANCAMERICA CAPITAL  
INVESTORS II, L.P., WINDWARD/PARK AB III, L.L.C.,  
WINDWARD CAPITAL PARTNERS L.P., WINDWARD  
CAPITAL ASSOCIATES, L.P., SUEZ CAPITAL  
PARTNERS II, L.P., INDOSUEZ CAPITAL CO-INVEST  
PARTNERS, L.P., SCP II ASSOCIATES, CREDIT  
SUISSE FIRST BOSTON (USA), INC., CREDIT SUISSE  
FIRST BOSTON, GOLDMAN SACHS CREDIT  
PARTNERS L.P., JEFFREY A. ANDERSON, JON F.  
BAKER, JOSE R. GARCIA, ROBERT H. BARTON III,  
H.H. WACASER, PETER S. MACDONALD, GARY  
SWENSON, JOHN F. MAYPOLE, THOMAS GRAHAM,  
DONALD A. MCKAY, HENRY A. NICKOL, JEFFREY  
HODGMAN, A. KIPP KOESTER, CRAIG VAN ESS,  
GURMINDER S. BEDI, THOMAS WALKER, JACK  
SKOOG AND DEAN VANEK,

Defendants.

07-CV-3213 (SAS)

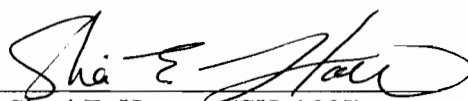
**NOTICE OF MOTION  
TO ADMIT COUNSEL  
PRO HAC VICE**

PLEASE TAKE NOTICE that upon the annexed Declaration of Sheri E. Hametz, dated September 7, 2007, the accompanying Declaration of Livia M. Kiser, dated September 5, 2007, and the exhibit annexed thereto, the undersigned moves this Court for an Order, pursuant to Rule 1.3(c) of the Local Rules for the United States District Court for the Southern and Eastern Districts of New York, admitting Livia M. Kiser to the bar of this Court *pro hac vice* in

order to argue and try the above-captioned case as counsel for Defendants Skoog Family Investments, LLC, Craig Van Ess and Jack Skoog.

Dated: New York, New York  
September 7, 2007

LATHAM & WATKINS LLP

By:   
Sheri E. Hametz (SH-4665)

885 Third Avenue, Suite 1000  
New York, New York 10022  
(212) 906-1200

Attorneys for Defendants  
Skoog Family Investments, LLC,  
Craig Van Ess and Jack Skoog

To: All Counsel of Record

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

OCEAN RIDGE CAPITAL ADVISORS, LLC, as  
Litigation Trustee of THE MAS LITIGATION TRUST,

Plaintiff,

-against-

METROPOLITAN LIFE INSURANCE COMPANY, THE  
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COMPANY, CAPITAL D'AMERIQUE CDPQ INC.,  
CAISSE DE DEPOT ET PLACEMENT DU QUEBEC,  
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HODGMAN, A. KIPP KOESTER, CRAIG VAN ESS,  
GURMINDER S. BEDI, THOMAS WALKER, JACK  
SKOOG AND DEAN VANEK,

Defendants.

07-CV-3213 (SAS)

**ORDER GRANTING  
MOTION TO  
ADMIT COUNSEL  
PRO HAC VICE**

This matter having been brought before the Court by motion to admit Livia M. Kiser *pro hac vice* to appear and participate as counsel for Defendants Skoog Family Investments, LLC, Craig Van Ess and Jack Skoog in the above-captioned action, and the declaration of such attorney having been submitted in support thereof, and it appearing that such attorney is a member in good standing of the bar of the state in which she is admitted to practice

law, and there are no disciplinary proceedings against her as a member of the bar in any jurisdiction; it is

ORDERED that, pursuant to Local Civil Rule 1.3(c) of this Court, Livia M. Kiser of the State of Illinois bar is admitted *pro hac vice* to practice before this Court as counsel for Defendants Skoog Family Investments, LLC, Craig Van Ess and Jack Skoog in these proceedings.

Dated: \_\_\_\_\_, 2007

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Honorable Shira A. Scheindlin  
United States District Judge

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

OCEAN RIDGE CAPITAL ADVISORS, LLC, as  
Litigation Trustee of THE MAS LITIGATION TRUST,

Plaintiff,

-against-

METROPOLITAN LIFE INSURANCE COMPANY, THE  
NORTH WESTERN MUTUAL LIFE INSURANCE  
COMPANY, CAPITAL D'AMERIQUE CDPQ INC.,  
CAISSE DE DEPOT ET PLACEMENT DU QUEBEC,  
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HODGMAN, A. KIPP KOESTER, CRAIG VAN ESS,  
GURMINDER S. BEDI, THOMAS WALKER, JACK  
SKOOG AND DEAN VANEK,

Defendants.

07-CV-3213 (SAS)

**DECLARATION OF  
SHERI E. HAMETZ**

SHERI E. HAMETZ, pursuant to 28 U.S.C. § 1746, hereby declares under the  
penalty of perjury as follows:

1. I am a member of the law firm of Latham & Watkins LLP, counsel for Defendants  
Skoog Family Investments, LLC, Craig Van Ess and Jack Skoog in this action. I submit this  
Declaration in support of the motion, pursuant to Local Rule 1.3(c) of the Local Rules of the  
United States District Court for the Southern and Eastern Districts of New York, for an Order

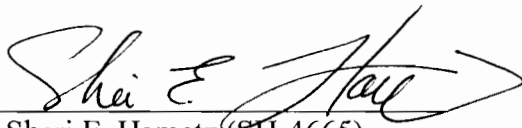
granting Livia M. Kiser admission *pro hac vice* to the bar of the United States District Court for the Southern District of New York in order to argue and try the above-captioned case.

2. I am a member in good standing of the bar of this Court.

3. I have reviewed the Declaration of Livia M. Kiser in support of the motion for admission *pro hac vice* submitted herewith, and I believe that the declaration is true and correct. Livia M. Kiser is fully familiar with the facts of this case.

4. Upon the foregoing facts, I respectfully request that the Court grant the motion for the admission *pro hac vice* of Livia M. Kiser to the bar of the United States District Court for the Southern District of New York.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 7<sup>th</sup> day of September, 2007, in New York, New York.

  
Sheri E. Hametz (SH-4665)

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

OCEAN RIDGE CAPITAL ADVISORS, LLC, as  
Litigation Trustee of THE MAS LITIGATION TRUST,

Plaintiff,

-against-

07-CV-3213 (SAS)

METROPOLITAN LIFE INSURANCE COMPANY, THE  
NORTH WESTERN MUTUAL LIFE INSURANCE  
COMPANY, CAPITAL D'AMERIQUE CDPQ INC.,  
CAISSE DE DEPOT ET PLACEMENT DU QUEBEC,  
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HODGMAN, A. KIPP KOESTER, CRAIG VAN ESS,  
GURMINDER S. BEDI, THOMAS WALKER, JACK  
SKOOG AND DEAN VANEK,

Defendants.

**DECLARATION OF  
LIVIA M. KISER**

LIVIA M. KISER, pursuant to 28 U.S.C. § 1746, hereby declares under the  
penalty of perjury as follows:

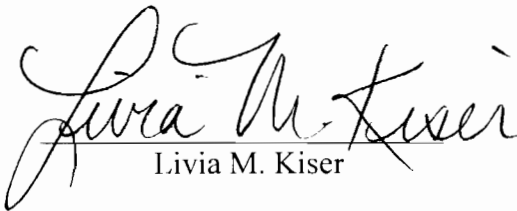
1. I am a member of the law firm of Latham & Watkins, LLP, located at 233 South  
Wacker Drive, Suite 5800, Chicago, Illinois, 60606.

2. I submit this Declaration in support of the motion to admit counsel *pro hac vice* in the above-captioned matter. As demonstrated by the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of Illinois.

3. There are no pending disciplinary proceedings against me in any State or Federal Court.

4. Wherefore, I respectfully request that I be permitted to appear as counsel and advocate *pro hac vice* in the above-captioned case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 5<sup>th</sup> day of September, 2007, in Chicago, Illinois.

  
Livia M. Kiser



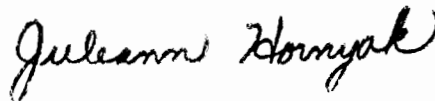
## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

Livia Anne McCammon Kiser

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 8, 2001 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto  
placed my hand and affixed the seal  
of said Supreme Court, at Springfield,  
in said State, this Thursday, August 30, 2007.

A handwritten signature in black ink, reading "Juleann Hornyak". The signature is written in a cursive, flowing style.

Clerk

OCEAN RIDGE CAPITAL ADVISORS, LLC, as  
Litigation Trustee of THE MAS LITIGATION TRUST,

07 Civ. 3213 (SAS)

Plaintiff,

-against-

**CERTIFICATE OF  
SERVICE**

METROPOLITAN LIFE INSURANCE COMPANY, THE  
NORTH WESTERN MUTUAL LIFE INSURANCE  
COMPANY, CAPITAL D'AMERIQUE CDPQ INC.,  
CAISSE DE DEPOT ET PLACEMENT DU QUEBEC,  
CSFB LP HOLDING. SKOOG FAMILY  
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GURMINDER S. BEDI, THOMAS WALKER, JACK  
SKOOG AND DEAN VANEK,

Defendants.

I, Jessica L. Bengels, hereby certify that on September 7, 2007, I caused true and correct copies of the Notice of Motion to Admit Counsel Pro Hac Vice, dated 9/7/07, Declaration of Sheri E. Hametz, dated 9/7/07, and Declaration of Livia M. Kiser, dated 9/5/07, to be served via U.S. Mail upon on all counsel listed on the attached service list.

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By: 

Jessica L. Bengels (JB-2290)

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